Madras. M-27—29,004—24-10-44.

Development (1945) Department.

SERIES.

G.O. No. Ms.No. 1825

Dated 5th May 1945

[Despatch' Abstract.]

MINES - Minerals - Mining lease - Red oxide of Iron (Bellary) - Bellary taluk - Janikunta village - S.No. 326 - Sri V. Nimbkar - Grant - Variation in extent.

12535 HR/45

23

rRevenue Department.

Mining lease- Red oxide of iron- (Bellary) Bellary taluk- Janikunta village- S.No.326 (part) Extent 76-acres- Sri. V. Nimbkar- Granted- Draft mining lease- Variation in extent.

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Ref. No.L. 439-45-1.

M a d r a s. 20th Feb.1945.

From

R. Galletti Esq., I.C.S.,
Jt. Secretary, Board of Revenue,
M a d r a s.

A.F.W.Dixon Esq., C.I.E., I.C.S., Commr.of Land Revenue and Irrigation.

Read the following papers:-

1. 29 Ct. of (R) Again G.O. Ms. 5086, Development dated 29th Novr.1944.
Letter from the Collector of Bellary, Ref. C. 4794-44 A.1 dated 31st Jan.1945.

Reference.

Submitted to the Government.

1. 29 Ct. of (R)

2. In their order cited above the Government directed the grant of the entire area of 76 acres applied for by Sri. V.Nimbkar in S.No. 326 of Janikunta village, Bellary taluk. The Collector reports that the extent is now found to be 114 acres and that the variation in extent is due to the revision of the village boundary between S.No. 326 of Janikunta village, Bellary taluk and S.No.3 of Tumati village of Hospet taluk. The Board requests that the Government may be pleased to accord their sanction for the grant of the present extent of 114 acres on lease to Sri. V. Nimbkar.

N. Subramanian 22-2-45

for Jt. Secretary.

To

The Secretary to Government, Development Dept.

J.E.G. 20.2.

Ent 27/2

A.S. (Sett)

(T.A) 3

Draft for approval

Subject Land Acquisition (Trivandrum-Poly). Srirangam Munn Cipality - Ward No II - T.S. Nos 2167/2, 2167/3 and 2168/2 - Construction of a small-pox shed Draft erratum to the notification under Sec 4 (1) and draft declaration submitted.

DESPATCHED
14 FEB 1939

Rd I. & C.f Read I 323/39 from the Collector of Trichinopoly — G

Refce I 323/39-1 dy 10.2.1939

Submitted to the Government.

2/ The Board recommen that the objections to the acquisition may be overruled and that the draft erratum to the

Development Department.

Memorandum No. 12535/II/45-1 dated 12.3.45.

...

Subject. Mining lease - Red oxide of iron - (Bellary, Bellary taluk - Janikunta village) - Variation in extent.

Reference.- From the Board of Revenue Ref. No. L. 439/45-1 dated 20.2.45.

...

In G.O. No. 5086 Dev. dated 29.11.44 the Government agreed to the grant of a mining lease to Sri V. Nimbkar over an area of 76 acres applied for by him in S.No. 326 of Janikunta village. It is now reported that the extent of this area is found to be 114 acres and that the variation in area is due to the revision of the village boundary between S.No. 326 of Janikunta village and S.No. 3 of Tumti village.

The Board of Revenue is requested to report

(1) whether the whole of this extent of 114 acres falls within the boundary description of the

area ....

area in which Sri Nimbkar has applied for a lease (through his agent Sri C.Srinivasa Rao) on 21.10.42;

(2) if not, how Sri Nimbkar is entitled to grant a mining lease over the whole extent of 114 acres and

(3) whether the decrease in the area of S.No. 3 of Tumti village which is said to be the result of a revision of the village boundary affects the area of any mining concession given to or applied for by any other applicant.

To the Board of Revenue.

R.D. 1.4.45

Revenue Department.

Subject.

Mining lease - Red Oxide of iron - (Bellary) - Bellary taluk - Janikunta village - S. No. 326 - Sri V. Nimbakar - Lease.

- -

Ref. No. L. 439/45-3

Station: Madras Dated 19th April 1945.

From

R. Galletti, Esq., I.C.S.,
Joint Secretary, Board of Revenue.

A.R. MacEwen, Esq., CIE., MC., ICS.,
Commissioner of Land Revenue and Irrigation.

Read.-

I.

pp 3-4 above Government Development Department Memorandum No. 12535 H/II/45-1 dated 12-3-45.

II.

below Letter from Sri Rao Saheb R.D. Paul, M.A., Collector, Bellary, No. Ref. C. 4791/44-A1, dated 4-4-1945.

...

Sub: Mining lease - Red Oxide of iron (Bellary) - Bellary taluk - Janikunta village - Variation in extent - Report submitted.

ne Ref: Board's No. L. 439/45-2 dated 26-3-45.

pp 7 below A combined sketch showing S.No.326 of Janikunta village of Bellary taluk and S.No.3 of Tumati village, Hospet taluk is enclosed. Plots I and III (extent 304 acres) in S.No.326 of Janikunta village were granted to Sri.V.Nimbkar on mining concessions in B.P.Mis.No.2348 dated 25-8-41. S.No.3 (full field - Extent Ac.288-00) of Tumati village of Hospet taluk, was also granted to him on mining lease in B.P. Mis. 487 M dated 28-9-42. Plot II in S.No. 326 of Janikunta village, is therefore bounded on the North East and South by the areas already granted to the applicant on mining lease.

M

2. The Range Officer, Survey and Land Records, Chittoor, revised the boundary of the field as marked in red ink in the combined sketch. As a result of this revision some portion of S.No.3 of Tumati village came to be included in S.No. 326 of Janikunta village whose extent has been increased from 453-12 acres to 544-61 acres. The area of S.No.3 of Tumati village has been reduced from 288 acres to 181-40 acres. Plot II in S.No.326 shaded in black was actually applied for by Sri V. Nimbkar on 20-10-42 and the area shaded in blue, which has been newly added to it as a result of the revision of the boundary has to be included in the area for which mining concessions have already been granted to him in S.No. 3 of Tumati village. Hence the applicant is entitled to the whole extent of 114 acres. The extent is the same but only the area of the S.Nos. 326 of Janikunta of Bellary taluk and S.No.3 of Tumati of Hospet taluk have to be altered according to the boundaries as revised.

B

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3. The mining lease in respect of S.No.3 of Tumati village has not yet been executed and registered for want of the revised plan of the field. Attention is invited to my Ref. C.No.996/44-A1 dated 17-3-45 in which permission to register the mining lease deed is requested as it could not be got registered within six months from the date of sanction of the grant as required by rule 46, Chapter VI of the Mining Manual. The revised extent of S.No. 3 (Ac.181-40) will be adopted in the mining lease deed after the receipt of orders on the above reference.

ne

P 76 of Mining Manual

P.T.O.

REFERENCE: (No. L. 439/45-3 dated 19-4-45)-

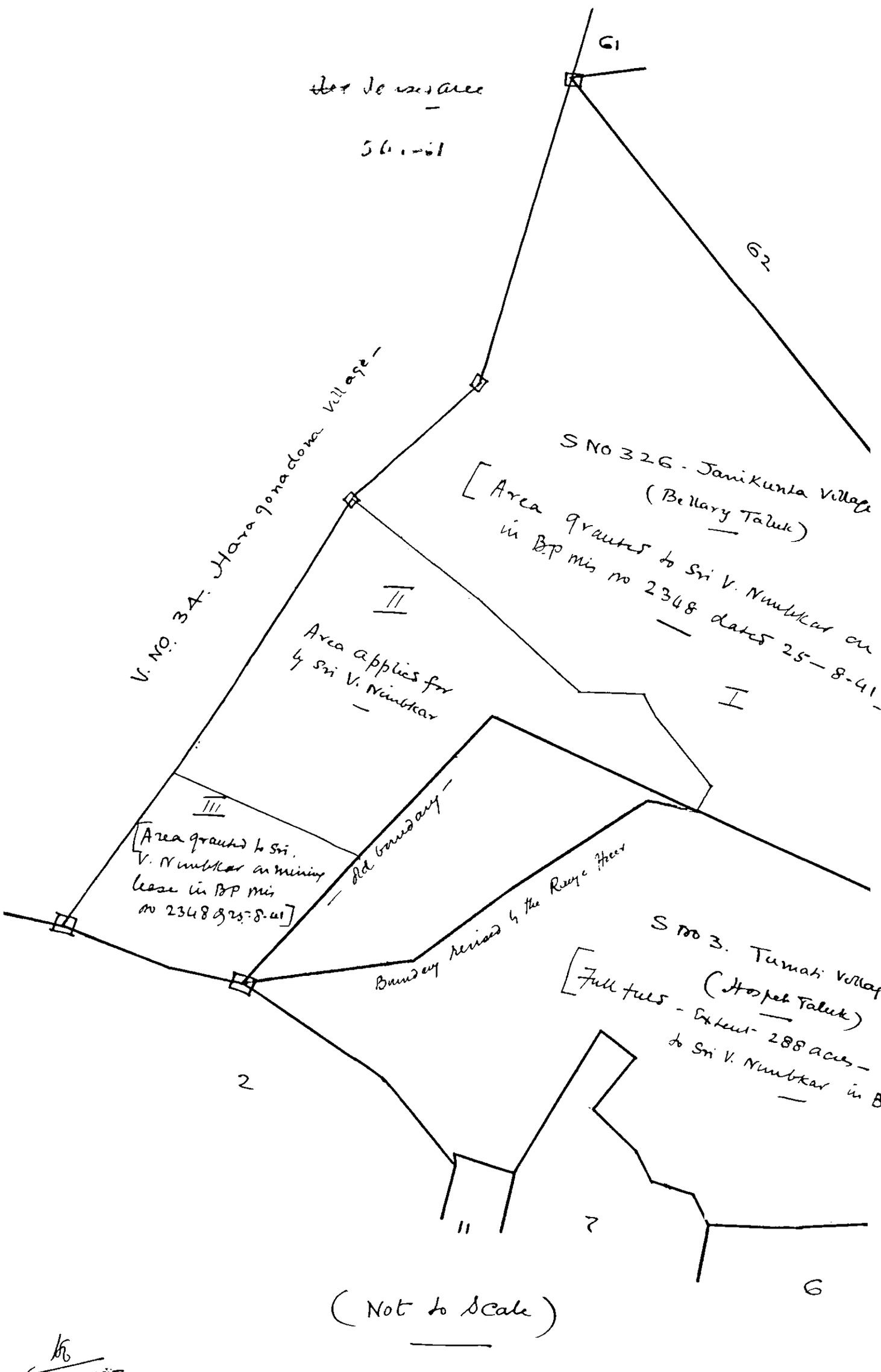
Submitted to the Government.

2. The Board agrees with the Collector and it recommends that the whole of the extent of 114 acres of S.No. 326 of Janikunta village, Bellary taluk, may be given to Sri V. Nimbkar on lease.

N. Subramanyam
19-4-45
for JOINT SECRETARY.

To the Secretary to Government, Development Dept., with a sketch.

VSK.19-4.

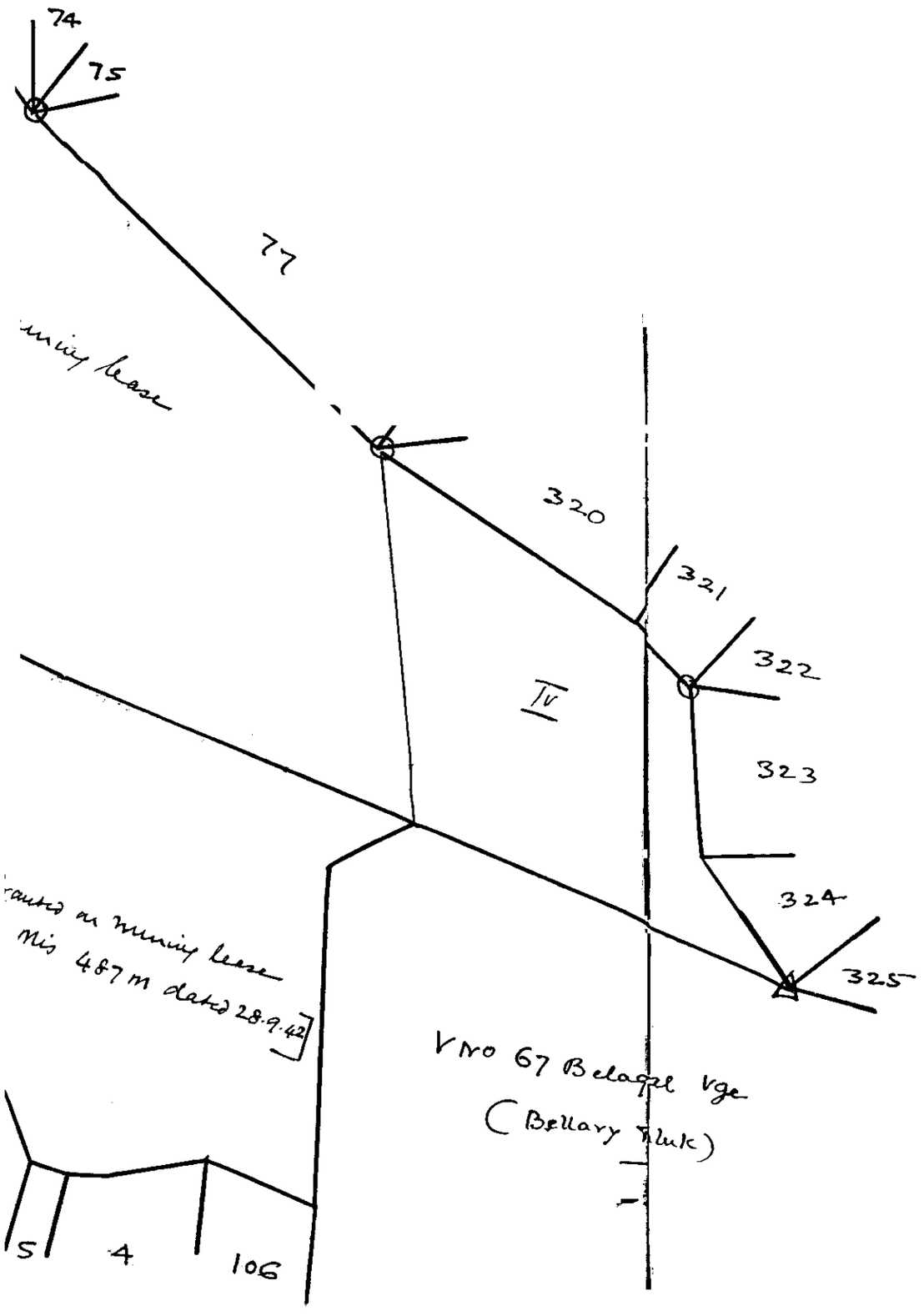


(Not to Scale)

2.4.

Combined Sketch of Sno 326 of Jankunta Village of Bellary Taluk and Sno 3 of Tenuahi Village of Hospet Tk

Bellary District



Pl. correct docket 6/5/45

L 5/5/45

Mines - Minerals running lease - Red oxide of Iron (Bellary) - Bellary taluk - Janikunta village. S No. 326 - Sri V. Nimbkar - Grant - Variation in extent - orders issued

P29ct+q (R) Read again G.O No. 5086 Rev dt 29-11-44

P1 ct.

PP 5-6 ct.

From the Board of Rev Ref No. L. 439-45-1 dt 20-2-45

L 439/45-3 dt 19-4-45

Order No No. 1825 Rev dt 5-5-45

⊗ P29 Ct+q (R)

In partial modification of G.O. No. 5086 Rev dt 29-11-44, the Govt direct that the entire area of 114 acres in S. No. 326 of Janikunta village, Bellary taluk may be+ given on running lease to Sri V. Nimbkar.

Rev 7-5-45

+ or else at A's P4 rate.

To

The Board of Rev. 8/5/45

FIRST ASST. SECRETARY TO GOVERNMENT
28600
8 - MAY 1945
DEVELOPMENT DEPARTMENT

Board of Revenue, Madras.

Subject.

Mining -Lease - Red Oxide of iron - (Bellary) - Hospet Taluk - Tumati village - S.No.3 - Sri V.Nimbkar of Bombay - Lease - Sanctioned - Certain discrepancies in the survey of the area and delay in the registration of the lease deed - Reported.

Ref.L.1221-45-1 dated 5-5-45.

From

S.M. Hasan Esq., I.C.S.,
Joint Secretary, Board of Revenue.

A.R.MacEwen Esq., C.I.E.,M.C.,I.C.S.,
Commissioner of Land Revenue & Irrigation.

(J)
PP3-4 of G.O. 1825 Dev 5-5-45
P3 below

Read again:- Government Memo.12535-H-II/45-1 dated 12-3-45.

Read:- From the Collector of Bellary, Ref.C.996-44-A1 dated 7-4-45.

REFERENCE:

PP5-6 of (J)

Submitted to the Government in continuation of Board's Ref.L.439-45-3 dated 19-4-45.

Ans 3
PP1-2 par 7 of (R)

2. In its proceedings Mis.No.487-(M) dated 29-9-42, the Board granted to Sri V.Nimbkar of Bombay, a mining lease over an extent of 288 acres in S.No.3 of Tumati village of Hospet Taluk, Bellary Dt., for a period of thirty years. It also approved in its Progs. Mis. 799-M dated5-12-42, the draft lease deed submitted by the Collector. But before the lease deed was registered a dispute arose in regard to the boundary between.S.No.326 of Ganikunta village, Bellary Taluk and S.No. 3 of Tumati village, Hospet taluk - the two plots being contiguous - as a result of the incorrect survey done by the Dy. Surveyor Bellary. The Range Officer, Survey and Land Records, Chittoor, inspected the place of dispute and altered the boundary. The registered area of S.No. 3 of Tumati village was affected as a result of this alteration.

of P3 P1-2 par 2 of (R)

12

The present area of S.No.3 of Tumati village is 181-40 acres while the area of S.No.326 of Janikunta village has been increased from 453-12 acres to 544-61 acres. B'on PS Ct 9(J)

3. The matter was under correspondence between the Range Officer, Chittoor and the Circle Officer, Land Records, Bellary and the Circle Officer submitted to the Collector a revised sketch of S.No.3 of Tumati village only on 3-4-45. Under rule 46 in Chapter VI of the Mining Manual, the sanction of the Government is necessary for the execution of the lease deed if it is not registered within six months after the lease was granted. The lease in question was sanctioned on 5-12-42 and the period of six months expired long ago. However, as the delay is not attributable to the applicant, the Collector proposes that the delay may be condoned and the party permitted to register the lease deed.-- 4 PS below P 76 of the Mining Manual

4. In the circumstances, the Board requests that the Government may be pleased to condone the delay in the registration of the lease deed and authorise the Collector to proceed with the registration of the deed adapting the revised area of the field as furnished by the Range Officer.

N. Subramanian 7-5-45

For Joint Secretary.

To The Secretary to Government, Development, with a sketch in original to be returned.

1 PS below

k.t.a.5/5.

5-5-45 returned with two enclosures below--

Copy of letter Ref.C.No.996/44-A1 dated 7-4-45 from the Collector, Bellary.

P.T.O.

Sub:- Mining leases - Red Oxide of iron -
(Bellary) - Hospet taluk - Tumati village -
S.No.3 - Sri V.Nimbkar of Bombay.

Ref:- Board's L.Dis.973/45 dated 29-3-45.

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*P5 below

The Range Officer, Survey and Land Records Chittoor has furnished a revised sketch of S.No.3 of Tumati village, Hospet taluk. A copy of it, is enclosed. According to the sketch, the revised area of the field is 181-40 acres against the original recorded area of 288 acres. I request orders if a mining lease deed may be got registered adopting the revised area of the field furnished by the Range Officer.

Sd. x x
For Collector.

(True copy)

k.t.a.5/5.

Development (H-II) Dept. 15

MemoNo. 28600 H-II/45-1 dated 21 --5--1945.

MINING - Lease - Red oxide of iron (Bellary) Hospet taluk - Tumati village - S. No. 3 - Sri V. Nimbkar of Bombay - Lease - Certain discrepancies in the Survey of the area and delay in the registration of the lease deed - Condoned.

From the Bd. of Rev. Ref.L.1221-45-1 d/5-5-45.

The Govt. have no objection in authorising the Collector to proceed with the registration of the lease deed in favour of Sri V. Nimbkar in respect of the revised area of 181.40 acres of S.No. 3 of Tumati village, Hospet taluk, Bellary district.

To

The Bd. of Rev.

DEVELOPMENT DEPT.

Sub: MINES - Minerals - Mining lease - Red Oxide of Iron (Bellary) - Bellary Taluk - Janikunta village - S.No. 326 - Sri V. Nimbkar - Grant.

Ref. From the Bd. of Rev. No.L.439-45-1 dated 20-2-45.

To A.S.

In G.O.No.5086, Dev. dated 29-11-1944 the Govt. agreed to the grant of a mining lease for Red Oxide of iron over an area of 76 acres in S.No.326 Janikunta village to Sri V. Nimbkar in preference to Sri V. Padda Rangaswamy. The Bd. has now reported that the area in question is found to be 114 acres and that the variation in extent is due to revision of village boundary between S.No.326 of the Janikunta village and the adjoining S.No.3 of the Tumati village. Attention is invited to the noting in paras 2 and 3 on pp.1-2 n.f. (R) regarding the boundary dispute in respect of S.No.3 in Tumati village. (The original records were returned to the Bd.). Apparently a decision has been arrived at in regard to the boundary dispute referred to at 'M' on p.2 n.f.of (R). The entire area of S.No.3 of Tumati village was held under prospecting licence by Sri V. Nimbkar. By a revision of the boundary line between the two survey Nos. referred to by the Bd. at p.1 c.f., it would appear that, while there is an increase in the area to be granted in S.No.326 of Janikunta village, there should be a decrease in the area ~~held under mining lease~~ in S.No.3 of Tumati village, which has not yet been given on lease. Consequently there will be an increase in the total area held by Sri V. Nimbkar. The Board has not commended on this. It has been held in another case that Sri V. Nimbkar is already holding vast areas under mining concession. For orders whether in the circumstances:-

(1) the grant of the lease to the present increased extent will be agreed to; or

(2) 'A' above may be verified from the Board.

Res: 1/3/45

The orders of Govt. relate to the area applied for in the Janikunta village. The position whether the Board or not Sri Nimbkar is entitled to this added extent by virtue of

2/ orders and if it is now [illegible]

To A.S.

Submitted that the area of 76 acres in S.No.326 of Janikunta village adjoins S.No.3 of Tumati village which was held under prospecting licence by Sri V. Nimbkar. The lease of the latter area was not however granted to Sri V. Nimbkar as there was a boundary dispute in respect of this area. Apparently the boundary question has since been settled and S.No.3 of Tumati village found to comprise 250 acres instead of 288 acres and the balance of 38 acres included in the Janikunta village. In the applications for prospecting licences and mining leases the exact extent of the area required for mining operations is not given, but only a description, illustrated by a map, showing as accurately as possible the situation, boundaries and the area of the land required. Only after the receipt of the application, the area applied for is surveyed to determine its exact extent and the concession granted to the extent found to comprise the area given in the boundary description in the application. Accordingly owing to a decision of the boundary question regarding the Tumati Village and the Janikunta village, the area applied for by Sri V. Nimbkar in Janikunta village is apparently found to be 114 acres instead of 78 acres. The Bd: may however be asked to clarify the position before the grant to the increased extent is agreed to.

Subject to orders a draft memo is submitted

Bd. 8/3/45

It is not clear whether Sri Nimbkar is entitled to the whole of the area of 114 acres by virtue of his application for a mining lease in the Janikunta village and whether applicants for mining concessions have any claim over it. The Board may be asked to furnish clearer instructions

The draft Memo is placed below

Secy. Dte

12-3-45 Secy. Board of Rev.

pp5-7 cr

(From the Board of Revenue No. L.439/45-3 dated 19-4-1945.)

To A.S.

(notes from p. 1 above)

pp5-6 cr.
p7 cr.

Please see the Board's reply to Govt. memo. on pp. 3-c.f. It is seen from the Board's reference and the sketch enclosed to it that plots I and III in S.No. 326 of Jannikunta village were already granted to Sri V Nimbkar on mining concessions. S.No. 3 of ~~Tirumati~~ Timati village was also granted to him on mining lease, though the lease deed has not yet been registered. It is seen from the sketch that plot II which is now under consideration is bounded on all sides by areas, already granted to the applicant under mining concessions. In view of this the Collector has stated that the applicant is entitled to the whole extent of 114 acres. The Board also agrees with the Collector's view and recommends that the whole plot of 114 acres may be granted on lease to Sri V. Nimbkar. For orders.

2. Attention is invited to para 3 of the Collector's letter at p. 5 c.f. Mining lease in respect of S.No. 3 of ~~Thirumati~~ Timati village, Hospet Taluk, was granted by the Board in its Proceedings Mis.No. 487 M dated 28-9-1942 but the lease deed was not registered as a boundary dispute has arisen in the meantime in respect of the area. Now that the boundary question has been settled, the Collector has apparently addressed the Board for permission to register the lease deed in respect of S.No. 3 of ~~Thirumati~~ Timati village with reference to Rule 46 of the Mining Rules at p. 76 of the Mining Manual. It is not clear whether, with reference to the existing orders of the Govt., namely, that all cases of grant of prospecting licences and mining leases should be submitted to the Govt. for their prior approval before they are sanctioned, the Board will submit for the approval of the Govt. this case for the grant of permission to register the lease granted by it in 1942 but held in abeyance pending decision of the boundary question. Attention is in this connection invited to the Secretary's note on p. 3 n.f. of l.f. and A-3's minute thereon. A report has accordingly been called for from the Board. For orders whether--

(i) the Board may be asked to submit the case for the orders of the Govt. so that it may be considered along with other applications under consideration in the l.f.; or

Para 3 on P5 cr
✓ P7 cr.
× M on P5 cr.
A on P5 cr.
✓ P6 cr.
The Board's recommendation may be accepted
Dy

× not set up in the sketch
D on p 2 n/f of (R)

× P to no. 96
(K) p 1 n/f of (K)

No 6708 H-1.

P2 cr & LF.

A

(ii) the matter may be left to the discretion ~~by~~ of the Board whether to grant or not to grant the necessary permission as the lease was sanctioned by it as early as 1942.

A/Sp3: The Board may be asked to submit / Without reference as the matter relates to a case pending since 1942 / this Case also for the orders of Govt alongwith the reports called for in the L-J to that the leases granted to the applicant may be renewed as ~~asked~~ by A3 these

2 Secy 2 Secy

A / & the Circumstances stated by the Collr the entire Content I the case may be seen on Govt & Dr Tirumalai.

28/4/45

A3

TO As:-

(orders at A above)
Draft order is submitted for approval.

25/5

5-5-45

Issued as G.O.No 1825-Sw dt 5-5-45 — page

Development (H-II) Dept.

SUBJECT: MINING - Lease - Red oxide of iron (Bellary) - Hospet taluk - Tumati village - S. No. 3 - Sri V. Nimbkar of Bombay - Lease - Certain discrepancies in the Survey of the area and delay in the registration of the lease deed - Condoned.

REFERENCE: From the Board of Revenue Ref. L.1221-45-1, dated 5-5-1945.

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To, A.S.

Please see the Board's ref. at pp. 1-2 c.f. Under rule 46 Chapter VI of the mining manual read with the delegation made in the note under rule 4 of the Mining Rules on p. 55 of the Mining Manual, the Board is competent to condone the delay in this case. The Board has apparently submitted the case for the orders of the Govt. with ref. to the existing orders, viz., that all cases of grant on Prospecting licences and mining leases should be submitted to the Govt. before they are sanctioned. The case was already noted on in another connexion and it was held that it was not necessary for Govt. to consider the case as the matter related to a lease granted by the Board some years ago. In the circumstances no objection need be taken in authorizing the Collector to proceed with the registration of the lease deed in favour of Mr. V. Nimbkar in respect of the revised area. Subject to orders draft memo. is submitted.

issued as Memo No. 2860 H-II/45-1 dated 21-5-45